

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DION HARTSFIELD,

Case No. 2:15-cv-00736-APG-PAL

Plaintiff,

ORDER

v.

(IFP Application – Dkt. #1)

SHERIFF JOE LOMBARDO, et al.

Defendants.

This matter is before the court on Plaintiff Dion Hartfield's Application to Proceed *In Forma Pauperis* (Dkt. #1) filed April 22, 2015. Plaintiff is a prisoner proceeding in this civil rights action *pro se*, has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, and submitted a Complaint. This matter was referred to the undersigned pursuant to 28 U.S.C. § 636(a) and LR 1-3 and 1-9.

Local Rule LSR 1-2 and 28 U.S.C. § 1915 specifically require three items be submitted to this Court with a prisoner's application to proceed *in forma pauperis*: (1) a signed financial certificate by an authorized officer of the institution in which he or she is incarcerated, (2) a copy of his or her inmate trust account statement for the six-month period prior to filing, and (3) a signed financial affidavit showing an inability to prepay fees and costs or give security for them. Here, Plaintiff has submitted the required affidavit along with the financial certificate. However, Plaintiff did not include a copy of his inmate trust account statement.¹

¹ 28 U.S.C. § 1915(a)(2) states:

A prisoner seeking to bring a civil action . . . without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), *shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined.*

(emphasis added).

1 Accordingly,

2 **IT IS ORDERED:**

- 3 1. Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. #1) is DENIED
4 WITHOUT PREJUDICE.
- 5 2. The Clerk of the Court shall send Plaintiff a blank application form for
6 incarcerated litigants with instructions.
- 7 3. Plaintiff shall file a new Application to Proceed *in Forma Pauperis*, accompanied
8 by a signed and executed financial certificate, a signed and executed financial
9 affidavit, and a statement of his inmate trust account.
- 10 4. Alternatively, Plaintiff shall make the necessary arrangements to pay the filing fee
11 of four hundred dollars accompanied by a copy of this order.
- 12 5. Plaintiff shall have **thirty (30) days** from the date on which this order is entered
13 to comply. Failure to comply will result a recommendation to the District Judge
14 that this case be dismissed for failure to comply with this order.

15 Dated this 26th day of May, 2015.

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18 PEGGY A. LEEN
19 UNITED STATES MAGISTRATE JUDGE
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